

**APPROVED 12-20-12**  
**TOWN OF NORTH HAVEN, CONNECTICUT**  
**MINUTES OF THE**  
**ZONING BOARD OF APPEALS**

A meeting of the Zoning Board of Appeals was held on Thursday, November 15, 2012 at the Mildred A. Wakeley Community & Recreation Center, 7 Linsley Street, in Room #2 at 7:30 PM.

**MEMBERS PRESENT:**

Robert F. Hannon, Chairman  
Caren M. Genovese, Vice Chairman  
Donald F. Clark, Secretary  
Joseph P. Villano  
William D. O'Hare, Alternate, sitting for Joseph A. Cappucci  
Jacob M. Piekarski, Alternate, sitting for Caren M. Genovese

**MEMBERS ABSENT:**

Joseph A. Cappucci

**TOWN PERSONNEL:**

Alan A. Fredricksen, Land Use Administrator  
Arthur M. Hausman, Zoning Enforcement Officer

**OTHERS PRESENT:**

Mary Lee Rydzewski, Public Stenographer  
Sandra Lion, Clerk

**AGENDA:**

Mr. Hannon, Chairman, opened the meeting at 7:30 PM and introduced the members of the Board, the Town staff, the stenographer and clerk. Then, he explained that under the Connecticut State Statutes for an appeal request to be approved, the applicant needs a minimum of four (4) Board members to concur. Mr. Hannon stated that application #12-26, 5 Ridgewood Avenue, has been postponed to the December 20, 2012 meeting.

**PUBLIC HEARINGS:**

Mr. Clark read the call for the first Public Hearing.

Mrs. Genovese recused herself from this application and Mr. Piekarski sat.

1. #12-23      Application of John Paul Garcia, P.E., L.S., Applicant, David Fantarella, Owner, relative to 1125 Ridge Road, (Map 25, Lot 5), per Section 8.6.2.1, requesting a fence height variance of 3' to permit a 6' high fence in a front yard where 3' is permitted. R-20 Zoning District.

Mr. John Paul Garcia, P.E. and Mr. David Fantarella, owner, presented the variance application to permit a 6' high fence, gates and pillars in a front yard where 3' is permitted. Mr. Garcia stated that the applicant would prefer to keep the pillars and the two gates instead of the fence for safety concerns. Mrs. Eliza Fantarella, owner, also spoke regarding safety concerns. Mr. Garcia submitted photographs of the property, Exhibit A through D. The Commission asked questions and Mr. Garcia responded.

Mr. Hannon asked for public comment.

Public comment:

1. Nancy Alderman, 40 year resident of 1191 Ridge Road, spoke in opposition to the application. She feels having a 6' high fence will ruin the character of the neighborhood and, if this application is approved, other neighbors will come before the Board requesting 6' high fences. She asked the Board to approve only a 3' high fence and/or gate.
2. David Fantarella, owner, spoke regarding safety concerns with living on a busy road. He stated that a 3' high fence is not sufficient and that having a house on a corner lot causes drivers to use his driveway as a turn around.

Mr. Clark read letters, in opposition to the application, from Jane Monteith, 1130 Ridge Road, Nancy and Myles Alderman, 1191 Ridge Road, Jean Adnopo, 1085 Ridge Road, Hamden and Pamela Willoughby Field, 1150 Ridge Road.

There being no further questions, the Public Hearing was closed.

2. #12-26 Application of Carmen C. Alvarado, Owner and Applicant, relative to 5 Ridgewood Avenue, (Map 25, Lot 63), per Section 8.6.2.1, requesting a fence height variance of 3' to permit a 6' high fence in a front yard where 3' is permitted. R-12 Zoning District.

This application is postponed to the December 20, 2012 meeting.

#### **DELIBERATION SESSION:**

#### **PUBLIC HEARINGS:**

1. #12-23 Application of John Paul Garcia, P.E., L.S., Applicant, David Fantarella, Owner, relative to 1125 Ridge Road.

Mr. Villano moved to approve the application for the purpose of discussion; Mr. Clark seconded the motion. The Commission voted as follows:

Mr. Villano moved to withdraw his motion; Mr. Clark seconded the motion. All were in favor.

Mr. Clark moved to approve the application with modifications to include 6' high detached masonry pillars and two 4' high gates but with no fence; Mr. Villano seconded the motion.

Hannon – aye Clark – aye Villano – aye O'Hare – aye Piekarski - aye

In approving the application, the Board stated the following:

1. The hardship is the safety and health of the family and having two front yards.

**OTHER:** None

**CEASE AND DESIST ORDERS:**

Mr. Arthur Hausman, Zoning Enforcement Officer, outlined current zoning violations with the Board.

- 15 Regency Drive – Parking of vehicles over the ¾ ton capacity and conducting commercial business in a residential zone. A Cease & Desist Order was sent on October 19, 2012.
- 346 State Street – Unapproved parking of tractor trailers. A Cease & Desist Order was sent on October 25, 2012.
- 113 Bailey Road - Parking of vehicles over the ¾ ton capacity in a residential zone. A Cease & Desist Order was sent on November 1, 2012.

**CORRESPONDENCE:** None

**MINUTES:**

October 18, 2012

Mrs. Genovese moved to approve the minutes of the October 18, 2012 meeting; Mr. Clark seconded the motion. The Board voted as follows:

Hannon – aye Genovese – aye Clark – aye Villano – aye

**ADJOURN:**

There being no further business, Mr. O'Hare moved to adjourn; Mr. Villano seconded the motion; the Board unanimously approved the motion. The meeting was adjourned at 8:22 PM.